

VILLAGE OF ALMONT

ORDINANCE NUMBER 179

AN ORDINANCE DECLARING IT TO BE A TRESPASS FOR PERSONS TO GO UPON AND LOITER AND REMAIN UPON BUSINESS OR COMMERCIAL PREMISES AFTER CLOSE OF BUSINESS HOURS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

THE VILLAGE OF ALMONT ORDAINS:

PURPOSE: The purpose of this Ordinance shall be to prohibit the gathering of persons in public places for unlawful or mischievous purposes and to prohibit persons from loitering or standing in, near, or upon public or private places, unless for a valid, proper, peaceful and lawful purpose.

DEFINITIONS:

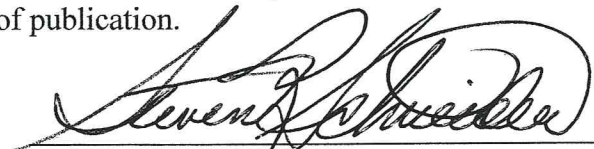
- A. **Loitering** means either individually or collectively remaining idle in essentially one location and shall include the concept of spending time idly; to be dilatory; to linger; to stay; to saunter; to delay; to stand around and shall include the colloquial expression "hanging."
- B. **Public Place** means any place to which the general public has access and a right to resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall include the front or immediate area of any store, shop, restaurant, tavern, church or any other business or enterprise and also public areas or adjacent parking lots thereto. The foregoing places shall include among others any and all schools, hospitals and governmental or municipal properties and parks.


- Section 1. This ordinance shall apply to all "*Public Places*" within the Village of Almont as set forth in above Paragraph B.
- Section 2. It shall be a trespass and unlawful for any person, after the close of business hours, to go upon and loiter and remain upon vacant portions, including driveways and parking areas of any privately owned business, commercial, industrial, school, church, or municipal property or other enterprise, for any purpose not connected with attending to business in the establishment.
- Section 3. Vacant portions shall include doorways, entranceways and indented or bay areas of any storefront.

- Section 4. It shall be a trespass and unlawful for any person, after close of business hours, to loiter and remain upon or against any business, commercial or industrial, or other enterprise within the Village of Almont, including standing or sitting in doorways or doorsteps, sitting or leaning against windows or doors of buildings, or other projecting parts of buildings for any purpose not connected with attending to business within said building.
- Sections 5. Enforcement of this ordinance on business, commercial, industrial, church, school or other property shall only be upon the written request of the owner of said business, commercial, industrial or other site. The owner shall be responsible for the posting of notices in or on the business, commercial, and industrial or other site, clearly visible, stating the business hours and that such notice is posted pursuant to this ordinance. Any acts prohibited by this ordinance committed not within the posted business hours shall be deemed a violation of this ordinance.
- Section 6. Should any section, clause or paragraph of this ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance, as a whole or part thereof other than the part declared invalid.
- Section 7. All ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.
- Section 8. Any person who shall violate any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500.00 plus costs, which may include all direct or indirect expenses incurred by the Village in connection with the violation.
- Section 9. This ordinance shall take effect upon the date of publication.

CERTIFICATION

The undersigned President and Clerk of the Village of Almont hereby certify that this Ordinance was duly adopted at a meeting of the Almont Village Council held on the 4th day of November, 2003. This was published in the Tri-City Times on November 12, 2003 and became effective as of said date of publication.


Steven R. Schneider, Village President


Sally J. McCrea, Village Clerk/Treasurer